



1       4. The United States published a Legal Notice, in compliance of notification of the  
2 Court's Preliminary Order of Forfeiture, in the Pacific Daily News, a newspaper of general  
3 circulation on October 2, 2005, October 9, 2005 and October 16, 2005. Said published Legal  
4 Notice advised all third parties of their right to petition the Court within thirty (30) days of the  
5 publication date for a hearing to adjudicate the validity of their alleged legal interest in the  
6 forfeited property.

7       5. In addition, the United States served notice upon each of the signatories of these  
8 accounts as follows: Teresita M. Moffett, Bank of Guam Account No. 0222-012676; Mary J.  
9 Guerrero, Bank of Guam Account No. 0201-568106; and Marlene M. Mesa, Bank of Guam  
10 Account No. 0201-336968, at their last known addresses. Each notice was dated December 1,  
11 2005, and advised that the United States was seeking forfeiture of their respective accounts, and  
12 that they were required to file a claim with the Office of the Clerk, United States District Court,  
13 within 30 days after receipt of the notice. Each notice was sent by certified mail, return receipt  
14 requested. According to the receipts this office received back, Teresita M. Moffett received her  
15 notice January 9, 2006. The notice to Mary J. Guerrero was returned unclaimed; according to the  
16 Hagåtña postmaster, her mail box was closed. The notice to Marlene M. Mesa was returned  
17 marked address undeliverable.

18       6. No other third party has made a claim to or declared any interest in the above-  
19 described forfeited property.

20       **WHEREFORE**, the United States moves this Court for a Final Order of Forfeiture  
21 declaring the following accounts:

- 22       1)      Bank of Guam Account No. 0201-336968;  
23       2)      Bank of Guam Account No. 0222-012676; and  
24       3)      Bank of Guam Account No. 0201-568106,

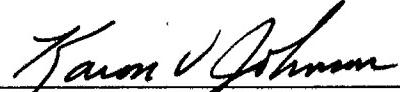
25 properties of defendant Raymond N. Atoigue and the above-listed signatories, be forfeited as to  
26 all parties and vesting full right, title and interest in said Bank of Guam accounts, the properties  
27 of defendant Raymond N. Atoigue and the above-listed signatories, in the United States and

1 directing the United States Marshal to dispose of the defendant properties according to law.

2 Respectfully submitted this 10<sup>TH</sup> day of February, 2006.

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4 LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam and the NMI

5 By:  
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KARON V. JOHNSON  
8 Assistant U.S. Attorney  
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